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THADANI,A.C. Division of Systems Safety & Analysis (Post 921004)

SUBJECT: Advises that WOG does not agree w/assessment of need for NRC review of proprietary repts WCAP-13803 & WCAP-13803,Rev 1 & nonproprietary rept WCAP-13838,as part of plant specific responses to GL 93-04 & will contest any & all review fees.

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OG-93-104

December 6, 1993

Mr. Ashok C. Thadani
Director
Division of Systems Safety and Analysis
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Westinghouse Owners Group
Review of Reports: WCAP-13803 [Proprietary], WCAP-13803 Rev 1 [Proprietary] and WCAP-13838 [Non-proprietary] all Entitled "Generic Assessment of Asymmetric Rod Control Cluster Control Assembly Withdrawal"

Reference:
1) L.A. Walsh to A.C. Thadani, Transmittal of Report: WCAP-13803 [Proprietary] Entitled "Generic Assessment of Asymmetric Rod Control Cluster Control Assembly Withdrawal", OG-93-55 dated August 5, 1993.
2) L.A. Walsh to A.C. Thadani, Transmittal of Report: WCAP-13803, Rev 1 [Proprietary] and WCAP-13838 [Non-proprietary] Entitled "Generic Assessment of Asymmetric Rod Control Cluster Control Assembly Withdrawal", OG-93-70 dated August 26, 1993.
3) A.C. Thadani to L.A. Walsh, Review of Reports: WCAP-13803 [Proprietary], WCAP-13803 Rev 1 [Proprietary] and WCAP-13838 [Non-proprietary] all Entitled "Generic Assessment of Asymmetric Rod Control Cluster Control Assembly Withdrawal", dated November 20, 1993.
4) Telephone call between M. Chatterton, USNRC and A.P. Drake, Acting Project Manager, Westinghouse Owners Group on December 1, 1993 at approximately 2:10 PM EDT.

Dear Mr. Thadani:

References 1 and 2 (attached) transmitted "information" copies of WCAP-13803 [Proprietary], WCAP-13803 Rev 1 [Proprietary] and WCAP-13838 [Non-proprietary] all Entitled "Generic Assessment of Asymmetric Rod Control Cluster Control Assembly Withdrawal" to the NRC. In this transmittal we noted the WOG was not requesting a formal NRC review and if the NRC decided a formal review was required the WOG must concur prior to commencement of the NRC review. Failure to obtain the WOG concurrence will result in the WOG challenging any and all review fees associated with this report.

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PDR TOPRP EMVWEST
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On November 22, 1993 you sent me a letter, (reference 3, attached) stating the need for the NRC to review these reports. While the letter did not contain an estimate of the cost associated with this review, we did obtain verbal estimates from Margaret Chatterton on December 1, 1993 (reference 4). Based on this conversation, we understand the review of these reports will cost approximately $25,000.00.

In your letter you noted nearly all licensees in their responses to GL 93-04 referenced WCAP-13803 Revision 1 at the basis for continued operation until the proposed timing modifications and additional surveillance can be implemented. Our assessment of the utilities responses indicated that this is not the case. The results of these reports were used in the utilities 45 day response to support the additional time required to complete the investigation and testing of the rod control system. The results of these test supported the utilities position that the rod control system is in compliance with the requirements of GDC-25 or equivalent. As a result of the test, enhancements to the system's operability were identified. Therefore, since GDC-25 or equivalent is met, no interim justification for operation is required and a review of these reports is not justifiable.

Therefore, the Westinghouse Owners Group does not agree with your assessment of the need for an NRC review of these reports and will contest any and all review fees associated with these reports.

Very truly yours,

Lawrence A. Walsh, Chairman
Westinghouse Owners Group

attachments

cc: William T. Russell, USNRC
Westinghouse Owners Group Steering Committee
Westinghouse Owners Group Primary Representatives
Westinghouse Owners Group Systems and Equipment Engineering Subcommittee
C.K. McCoy, Georgia Power
J.P. O'Hanlon, Virginia Power
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